

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

DIANE DENMARK,

Plaintiff

v.

LIBERTY MUTUAL ASSURANCE
COMPANY OF BOSTON, THE GENRAD,
INC. LONG TERM DISABILITY PLAN,
THROUGH TERADYNE, INC., AS
SUCCESSOR FIDUCIARY

Defendants

Civil Action No. 04-12261-DPW

**PLAINTIFF'S
MOTION TO ESTABLISH DENIAL OF BENEFITS CLAIM
BY LIBERTY MUTUAL ASSURANCE COMPANY OF BOSTON
IS SUBJECT TO THE "DE NOVO" STANDARD OF REVIEW
WITH RULE 7.1 CERTIFICATE**

NOW COMES plaintiff Diane Denmark ("Denmark"), and moves this Court to enter an order establishing that the review of Liberty Mutual Assurance Company of Boston's denial of Denmark's long-term disability benefits will be *de novo*.

In support of this motion, Denmark files here memorandum herewith.

RULE 7.1 CERTIFICATION

Plaintiff's counsel certifies that he conferred with attorneys for the defendants but could not reach an agreement on this motion as defendants contend review is otherwise.

WHEREFORE, plaintiff requests that this motion be allowed.

Date: February 4, 2005

DIANE DENMARK

By Her Attorneys,
/s/ Jonathan M. Feigenbaum

Jonathan M. Feigenbaum, Esq.
B.B.O. N#546686
Philips & Angley
One Bowdoin Square
Boston, MA 02114
Tel. No. : (617) 367-8787

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